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EMP04-49

In re Application of: Empirix Inc.

Application No. 09/548,203

Filed: April 13, 2000

For: METHOD AND SYSTEM FOR TESTING TECHNOLOGY BASED SOFTWARE COMPONENTS

The owner*, Empirix Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/482,178, filed on January 12, 2000, of any patent on the second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney of record.

David W. Roulle

March 7, 2005

Signature

Date

David W. Roulle, Esq.

Typed or printed name

508-366-9600

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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